

**TUESDAY, SEPTEMBER 15, 1998 (89)****¶89.1 DESIGNATION OF SPEAKER PRO TEMPORE**

The House was called to order at 9:00 o'clock a.m. by the SPEAKER pro tempore, Mr. MILLER of Florida, who laid before the House the following communication:

WASHINGTON, DC,  
September 15, 1998.

I hereby designate the Honorable DAN MILLER to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
*Speaker of the House of Representatives.*

Whereupon, pursuant to the order of the House of Tuesday, January 21, 1997, Members were recognized for "morn-ing-hour debate".

**¶89.2 RECESS—9:38 A.M.**

The SPEAKER pro tempore, Mr. MILLER of Florida, pursuant to clause 12 of rule I, declared the House in recess until 10 o'clock a.m.

**¶89.3 AFTER RECESS—10 A.M.**

The SPEAKER pro tempore, Mr. EWING, called the House to order.

**¶89.4 APPROVAL OF THE JOURNAL**

The SPEAKER pro tempore, Mr. EWING, announced he had examined and approved the Journal of the proceedings of Monday, September 14, 1998.

Pursuant to clause 1, rule I, the Journal was approved.

**¶89.5 COMMUNICATIONS**

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

10885. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Kiwifruit Grown in California; Relaxation of Pack Requirements [Docket No. FV98-920-4 IFR] received September 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10886. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Milk in the Southwest Plains Marketing Area; Suspension of Certain Provisions of the Order [DA-98-08] received September 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10887. A letter from the General Counsel, Department of Housing and Urban Development, transmitting the Department's final rule—Uniform Financial Reporting Standards for HUD Housing Programs [Docket No. FR-4321-F-03] (RIN: 2501-AC49) received September 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10888. A letter from the General Counsel, Department of Housing and Urban Development, transmitting the Department's final rule—Public Housing Assessment System [Docket No. FR-4313-F-03] (RIN: 2577-AB81) received September 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10889. A letter from the Deputy Executive Director and Chief Operating Officer, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits [29

CFR Part 4044] received September 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10890. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Occupant Crash Protection; Anthropomorphic Test Dummy [Docket No. NHTSA-98-4358] (RIN: 2127-AG75, 2127-AG80, 2127-AG94) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10891. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision; Ventura County Air Pollution Control District [CA 009-0090a FRL-6142-3] received August 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10892. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Ashton, Idaho and West Yellowstone, Montana) [MM Docket No. 97-200, RM-9144, RM-9313] received August 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10893. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Albion, Honeoye Falls and South Bristol Township, New York) [MM Docket No. 98-8, RM-9178] received August 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10894. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Implementation of Section 309(j) of the Communications Act—Competitive Bidding for Commercial Broadcast and Instructional Television Fixed Service Licenses [MM Docket No. 97-234] Reexamination of the Policy Statement on Comparative Broadcast Hearings [GC Docket No. 92-52] received August 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10895. A letter from the Acting Secretary, Federal Trade Commission, transmitting the Commission's final rule—Trade Regulation Rule Regarding Use of Negative Option Plans by Sellers in Commerce [16 CFR Part 425] received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10896. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—1998-99 Refuge-Specific Hunting and Sport Fishing Regulations (RIN: 1018-AE68) received August 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10897. A letter from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Species in the Rock Sole/Flathead Sole/"Other Flatfish" Fishery Category by Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands [Docket No. 971208298-8055-02; I.D. 081498A] received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10898. A letter from the Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Revi-

sions to Recordkeeping and Reporting Requirements [Docket No. 980112009-8196-02; I.D. 110697B] (RIN: 0648-AK36) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10899. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety And Security Zones; Presidential Visit, Martha's Vineyard, MA [CGD01-98-114] (RIN: AA97) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10900. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone; Gulf of Alaska, southeast of Narrow Cape, Kodiak Island, Alaska [COTP Western Alaska -98-003] (RIN: 2115-AA97) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10901. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone; Suisun Bay, Sacramento River, San Joaquin River, San Francisco, CA [COTP San Francisco Bay; 98-021] (RIN: 2115-AA97) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10902. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone; Connections Unlimited Fireworks, New York Harbor, Upper Bay [CGD01-98-123] (RIN: 2115-AA97) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10903. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Regulated Navigation Area; San Juan Harbor, San Juan, PR [CGD07-98-023] (RIN: 2115-AE84) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10904. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone; KENNEDY Fireworks, New York Harbor, Upper Bay [CGD01-98-113] (RIN: 2115-AA97) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10905. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone Regulations; Baptiste Collette Bayou from Lower Mississippi River Mile 11.3 to Lighted Buoy #21 in Breton Sound (RIN: 2115-AA97) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10906. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Sikorsky Aircraft Corporation Model S-61A, D, E, L, N, NM, R, and V Helicopters; Correction [Docket No. 97-SW-18-AD; Amendment 39-10126; AD 97-19-06] (RIN: 2120-AA64) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10907. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Lake Champlain, VT [CGD01-98-124] (RIN: 2115-AE47) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10908. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Anacostia River, Washington D.C. [CGD05-98-017] (RIN: 2115-AE47) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10909. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulations: Fireworks displays within the First Coast Guard District [CGD01-98-127] (RIN: 2115-AE46) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10910. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 and 767 Series Airplanes Equipped with Rolls-Royce Model RB211-52G/H Engines [Docket No. 98-NM-194-AD; Amendment 39-10715; AD 98-17-13] (RIN: 2120-AA64) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10911. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace (Jetstream) Model 4100 Series Airplanes [Docket No. 98-NM-86-AD; Amendment 39-10714; AD 98-17-12] (RIN: 2120-AA64) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10912. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model SA 3180, SA 318B, SA 318C, SE 3130, SE 313B, SA.315B, SA.316B, SA.316C, SA.319B, and SE.3160 Helicopters [Docket No. 98-SW-36-AD Amendment 39-10716; AD 98-16-02] (RIN: 2120-AA64) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10913. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Textron Lycoming and Teledyne Continental Motors Reciprocating Engines [Docket No. 98-ANE-27-AD; Amendment 39-10713; AD 98-17-11] (RIN: 2120-AA64) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10914. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Prohibition Against Certain Flights Within the Territory and Airspace of Afghanistan [Docket No. 27744; SFAR 67] (RIN: 2120-AG56) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10915. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Prohibition Against Certain Flights Within the Territory and Airspace of Sudan [Docket No. 29317; SFAR 82] (RIN: 2120-AG67) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10916. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of the Legal Description of the Memphis Class B Airspace Area; TN [Airspace Docket No. 98-AWA-1] (RIN: 2120-AA66) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10917. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety And Security Zones; Presidential Visit, Martha's Vineyard, MA [CGD01-98-115] (RIN: AA97) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10918. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Clinton, IA [Airspace

Docket No. 98-ACE-26] received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10919. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Hartford, KY [Airspace Docket No. 98-ASO-10] received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10920. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Savannah, TN [Airspace Docket No. 98-ASO-7] received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10921. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Financial Responsibility Requirements for Licensed Launch Activities [Docket 28635; Amendment No. 98-1] (RIN: 2120-AF98) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

10922. A letter from the Acting Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Mentor-Protege [48 CFR Part 1819] received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

10923. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule—Disaster Loan Program [13 CFR Part 123] received September 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

10924. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Special Disaster Relief [Announcement OGI-116078-98] received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10925. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Former Indian Reservations in Oklahoma [Notice 98-45] received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10926. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Estate and Gift Tax Marital Deduction [TD 8779] (RIN: 1545-AU27) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10927. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Estate of Clara K. Hoover, Deceased, Yetta Hoover Bidegain, Personal Representative v. Commissioner, 69 F.3d 1044 (10th Cir. 1995), rev'g 102 T.C. 777 (1994) [T.C. Docket No. 18464-92] received August 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10928. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Barry I. Fredericks v. Commissioner No. 96-7748 (3d Cir., Filed September 11, 1997, amended September 18, 1997), rev'q T.C. Memo. 1996-222 T.C. Dkt. No. 16442-92—received August 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10929. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Action on Decision [McCormick v. Peterson CV93-2157 (E.D.N.Y. 1993), 94-1 USTC 50, 026] received August 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10930. A letter from the Director, Defense Security Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Egypt for defense articles and services (Transmittal No. 98-52), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

10931. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance (LOA) to Taipei Economic and Cultural Representative Office in the United States for defense articles and services (Transmittal No. 98-56), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

10932. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Taipei Economic and Cultural Representative Office for defense articles and services (Transmittal No. 98-54), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

10933. A letter from the Director, Defense Security Assistance Agency, transmitting the listing of all outstanding Letters of Offer to sell any major defense equipment for \$1 million or more; the listing of all Letters of Offer that were accepted, as of June 30, 1998, pursuant to 22 U.S.C. 2776(a); to the Committee on International Relations.

10934. A communication from the President of the United States, transmitting the annual report of the activities of the United States Government in the United Nations and its affiliated agencies during the calendar year 1997, pursuant to 22 U.S.C. 287b; to the Committee on International Relations.

10935. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc. Model 214B, 214B-1, and 214ST Helicopters [Docket No. 94-SW-29-AD; Amendment 39-10717; AD 98-18-01] (RIN: 2120-AA64) received August 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10936. A communication from the President of the United States, transmitting the annual report on the Nation's achievements in aeronautics and space during fiscal year 1997, pursuant to 42 U.S.C. 2476; to the Committee on Science.

# 189.6 PRIVATE CALENDAR BUSINESS DISPENSED WITH

On motion of Mr. SENSENBRENNER, by unanimous consent,  
*Ordered*, That business in order today, under clause 6, rule XXIV, the Private Calendar rule, be dispensed with.

## 189.7 RECESS—10:21 A.M.

The SPEAKER pro tempore, Mr. EWING, pursuant to clause 12 of rule I, declared the House in recess at 10 o'clock and 21 minutes p.m., for approximately 15 minutes.

## 189.8 AFTER RECESS—10:36 A.M.

The SPEAKER pro tempore, Mr. EWING, called the House to order.

## 189.9 AGRICULTURE APPROPRIATIONS FY 1999

On motion of Mr. SKEEN, by unanimous consent, the bill (H.R. 4101) making appropriations for Agriculture, Rural Development, Food and Drug Ad-